

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED JUL 22 2020 CLERK, U.S. DISTRICT COURT By _____ Deputy
--

UNITED STATES OF AMERICA

v.

No. 4:20-CR-182-O

HEATH ALLEN PAINE (01)

GOVERNMENT'S MOTION FOR PRETRIAL DETENTION

The United States moves for pretrial detention of the defendant pursuant to 18 U.S.C. §§ 3142(e) and (f).

1. Eligibility of Case: This case is eligible for a detention order because the case involves:

- ☐ Crime of violence [18 U.S.C. § 3156]
- ☐ Maximum sentence of LIFE imprisonment or death
- ☐ Controlled Substance offense punishable by 10 or more years
- ☐ Felony with 2 prior convictions in above categories
- ☐ Felony involving a minor victim
- ☒ Felony involving the possession or use of a firearm, destructive device, or other dangerous weapon
- ☒ Felony involving a failure to register under 18 U.S.C. § 2250
- ☒ Serious risk that the Defendant will flee
- ☐ Serious risk that Defendant will obstruct justice
- ☐ An offense committed by the Defendant while released pending trial or sentence, or while on probation or parole and the person may flee and/or poses a danger to another person and/or the community requiring an initial 10 day detention pursuant to 18 U.S.C. § 3142(d)

2. Reason for Detention. The Court should detain the Defendant because there are no conditions of release which would reasonably assure:

- ☒ Defendant's appearance as required
- ☒ The safety of the community
- ☐ The safety of another person


3. The United States will not invoke the rebuttable presumption against the Defendant because: there is probable cause to believe that the Defendant has committed:

- ☐ A Controlled Substance Offense punishable by 10 or more years imprisonment
- ☐ A firearms offense under Title 18, United States Code, Section 924(c)
- ☐ A federal crime of terrorism punishable by 10 or more years imprisonment
- ☐ A Felony -listed in 18 U.S.C. § 3142(e) - involving a minor victim
- ☐ A Felony involving a failure to register under 18 U.S.C. § 2250
- ☐ The Defendant has previously been convicted of an offense described in 18 USC § 3142(f)(1) which was committed while the Defendant was released on bond pending trial for any offense and less than 5 years have elapsed since the latter of the defendant's conviction or date of release from imprisonment for such conviction.

- 4. Time for Detention Hearing.** The United States requests the Court to conduct the detention hearing
- ☐ at the Defendant's first appearance
 - ☒ After a continuance of 3 days.

Respectfully Submitted,

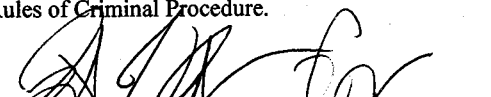
ERIN NEALY COX
UNITED STATES ATTORNEY


MARK L. NICHOLS
Assistant United States Attorney
Texas State Bar No. 14997700
Burnett Plaza, Suite 1700
801 Cherry Street, Unit #4
Fort Worth, Texas 76102
Telephone: 817-252-5253
Facsimile: 817-252-5455

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above pleading was this day served upon the Defendant or his counsel of record in accordance with the provisions of Rule 49 of the Federal Rules of Criminal Procedure.

DATE: July _____, 2020


MARK L. NICHOLS
Assistant United States Attorney